

IC 3-7-22

Chapter 22. Mail Registration

IC 3-7-22-1

Purpose of chapter

Sec. 1. This chapter prescribes procedures for voter registration by mail as provided in 42 U.S.C. 1973gg-4 and after December 31, 2003, 42 U.S.C. 15483.

As added by P.L.12-1995, SEC.32. Amended by P.L.209-2003, SEC.26.

IC 3-7-22-2

Use of form prescribed by Federal Election Assistance Commission

Sec. 2. As provided in 42 U.S.C. 1973gg-4(a)(1) and after December 31, 2003, 42 U.S.C. 15483, a county voter registration office shall accept and use the mail voter registration form prescribed by the federal Election Assistance Commission under 42 U.S.C. 1973gg-7(a)(2).

As added by P.L.12-1995, SEC.32. Amended by P.L.209-2003, SEC.27.

IC 3-7-22-3

Use of form prescribed by commission

Sec. 3. As provided in 42 U.S.C. 1973gg-4(a)(2) and after December 31, 2003, 42 U.S.C. 15483, a county voter registration office shall accept and use a mail voter registration form prescribed by the commission that complies with 42 U.S.C. 1973gg-7(b)(2), 42 U.S.C. 15483 after December 31, 2003, and this article.

As added by P.L.12-1995, SEC.32. Amended by P.L.3-1997, SEC.66; P.L.209-2003, SEC.28.

IC 3-7-22-4

Information required

Sec. 4. (a) A mail registration form prescribed under section 3 of this chapter may only require information necessary to enable the county voter registration office to do the following:

(1) Assess the eligibility of the applicant, including after December 31, 2003, the eligibility of the applicant under 42 U.S.C. 15483.

(2) Administer the voter registration and election process.

(b) The information required under subsection (a) may include the following:

(1) The signature of the applicant.

(2) Data relating to previous registration by the applicant.

(c) The form may not include any requirement for notarization or other formal authentication.

As added by P.L.12-1995, SEC.32. Amended by P.L.209-2003, SEC.29.

IC 3-7-22-5

Content of mail registration form

Sec. 5. A mail registration form prescribed under section 3 of this chapter must meet the following requirements:

- (1) The form must include a statement that does the following:
 - (A) Sets forth each eligibility requirement for registration (including citizenship).
 - (B) Contains an attestation that the applicant meets each of the eligibility requirements.
 - (C) Requires the signature of the applicant, under penalty of perjury.
- (2) The form must include, in print that is identical to the print used in the attestation part of the application, information setting forth the penalties provided by law for submission of a false voter registration application.
- (3) After December 31, 2003, the question "Are you a citizen of the United States of America?" and boxes for the applicant to check to indicate whether the applicant is or is not a citizen of the United States.
- (4) After December 31, 2003, the question "Will you be 18 years of age on or before election day?" and boxes for the applicant to check to indicate whether or not the applicant will be eighteen (18) years of age on or before election day.
- (5) After December 31, 2003, a statement informing the individual that if the form is submitted by mail and the individual is registering for the first time, the appropriate information required under 42 U.S.C. 15483 must be submitted with the mail-in registration form in order to avoid the additional identification requirements upon voting for the first time.

As added by P.L.12-1995, SEC.32. Amended by P.L.3-1997, SEC.67; P.L.209-2003, SEC.30.

IC 3-7-22-6

Distribution of form

Sec. 6. (a) As provided in 42 U.S.C. 1973gg-4(b), the NVRA official shall make registration by mail forms available for distribution, with particular emphasis on organized voter registration programs.

(b) This subsection does not apply to a request made by the state chairman of a political party whose nominee received at least two percent (2%) of the total vote cast for secretary of state at the most recent election for secretary of state. The co-directors shall require a person who requests more than ten thousand (10,000) registration forms to submit a voter registration program plan to the NVRA official to document the person's need for the desired number of forms.

As added by P.L.12-1995, SEC.32. Amended by P.L.2-1996, SEC.39; P.L.3-1997, SEC.68; P.L.176-1999, SEC.23.

IC 3-7-22-7 Repealed

(Repealed by P.L.199-2001, SEC.29.)

IC 3-7-22-8

Appearance in person not necessary

Sec. 8. An individual who is eligible to register under this article may register by mail without appearing in person before a circuit court clerk or board of registration.

As added by P.L.12-1995, SEC.32. Amended by P.L.2-1996, SEC.41.

IC 3-7-22-9

Acceptance of registration form

Sec. 9. A circuit court clerk or board of registration shall accept a registration by mail form for processing under this article whenever the form is presented by any of the following:

- (1) The United States Postal Service.
- (2) The individual registering by mail.
- (3) A person presenting the form on behalf of the individual who is registering.

As added by P.L.12-1995, SEC.32.